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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,222	09/14/2000	Rogelio Sosa	NETS:0004	2445
26122	7590	04/14/2006	EXAMINER	
LAW OFFICES OF GARY R. STANFORD 330 W OVERLOOK MOUNTAIN RD BUDA, TX 78610			COLBERT, ELLA	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/662,222	Applicant(s) SOSA ET AL	
	Examiner Ella Colbert	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 34-42 and 44-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 34-42, and 44-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7-13, 15-29, 31, 34-42, and 44-48 are pending. Claims 1 and 13 have been amended in this communication filed 02/06/06 entered as Response After Non-Final Rejection.
2. Applicants' amendment to claims 1 and 13 have overcome the 35 USC 112, second paragraph rejection and is hereby withdrawn. However the 35 USC 112, second paragraph rejection remains for claim 42 as set forth here below.
3. The claim objections to claims 1, 8, 18, 21, and 42 have been overcome by Applicants' prior amendments to claim 1, 8, 18, 21, and 42 and are hereby withdrawn.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 42 recites in the preamble the limitation "A charge number issuing and processing system" on page 9, line 1 and in line 4 "an issuing and transaction system". This is not in agreement with the body of the claim. Throughout the claim limitations of claims 1-3, 4, 7, 8, 13, 15-21, and 23-25. It further noted that claims 26-29, 31, 32, 34-42, 44, and 45 recite "charge issuing and processing system." It is unclear whether Applicants' have a "issuing and transaction system" or "a charge number issuing and processing system". It is unclear whether there are two separate systems or one system.

Claim Rejections - 35 USC § 103

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-3, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,575,361B1) Graves et al, hereafter Graves in view of (US 6,065,675) Teicher.

As per claims I and 26, Graves teaches, A method of issuing and transacting charge numbers using an electronic communications network, comprising: receiving, by a issuing and transaction system, a plurality of valid charge numbers from an issuing bank (col. 2, lines 48-61, col. 3, lines 17-63, fig. 1 and fig. 2 (20)); storing, by the issuing and transaction system, the plurality of valid, charge numbers (col. 2, lines 50-61, col. 3, lines 1-55, col. 6, lines 25-36, fig. 1 and fig. 2 (7 and 20)); detecting, by the issuing and transaction system, a request by a user via the electronic communications network for a valid charge number (col. 6, lines 25 and 26 and 56-66 and fig. 1(10)); selecting by the issuing and transaction system, one of the plurality of valid charge numbers (col. 11, lines 7-20); providing, by the issuing system via the electronic communications network, the selected valid charge number in response to the request (col. 6, line 4-col. 7, line 8, fig. 1(10), fig. 2 (10), and fig. 3 (10)). Graves failed to teach, establishing, by the issuing and transaction system a pre-paid cash account for the user; detecting, by the issuing and transaction system via a charge settlement network, a purchase transaction using the selected valid charge number between the user and a merchant; and authorizing by the issuing and transaction system, the purchase transaction if a cash balance of the prepaid cash account is sufficient for a purchase of the purchase transaction. Teicher teaches, establishing, by the issuing and transaction system a pre-paid cash account for the user (col. 2, lines 6-41, col. 7, lines 30-44, and col. 8, line 20-col. 9, line 3), detecting, by the issuing and transaction system via a charge settlement network, a purchase transaction using the selected valid charge number between the user and a merchant (col. 11, line 28-col. 12, line 50); and authorizing by

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the issuing and transaction system, the purchase transaction if a cash balance of the prepaid cash account is sufficient for a purchase of the purchase transaction (col. 16, lines 1-26 and fig. 5). It would have been obvious to one having ordinary skill in the art at the time the invention was made to establish, by the issuing and transaction system a pre-paid cash account for the user; detect, by the issuing and transaction system via a charge settlement network, a purchase transaction using the selected valid charge number between the user and a merchant; and authorizing by the issuing and transaction system, the purchase transaction if a cash balance of the prepaid cash account is sufficient for a purchase of the purchase transaction and to modify in Graves because such a modification would allow Graves to have a pre-paid card with a unique identifier with the capability to exchange the card for currency and to transfer funds from a pre-paid card account to a merchant account if the transaction is authorized.

As per claims 2 and 27, Graves teaches, wherein the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the user (col. 6, line 25-col. 7, line 8 and lines 34-58)

As per claims 3 and 28, Graves teaches, wherein. the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number the user via a telephonic network (col. 6, lines 25-40 and lines 49-55).

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10. Claims 4-12, 29, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,575,361B1) Graves et al, hereafter Graves in view of (US 6,065,675) Teicher in view of (US 6,609,113B1) O'Leary et al, hereafter O'Leary.

As per claims 4 and 29, Graves and Teicher failed to teach, wherein the detecting a request comprises detecting an online purchase transaction between an online merchant and the user via a computer communications network. O'Leary teaches, wherein the detecting a request comprises detecting an online purchase transaction between an online merchant and the user via a computer communications network (col. 6, line 4-27 and fig. 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the detecting a request comprise detecting an online purchase transaction between an online merchant and the user via a computer communications network and to modify in Graves because such a modification would allow Graves to have a means of making an online purchase from an online merchant.

As per claim 5, Grave and Teicher failed to teach, further comprising: the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the online merchant via the computer communications network. O'Leary teaches, the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer

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communications network (col. 8, lines 4-27); and the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the online merchant via the computer communications network (col. 7, lines 3-12 and col. 8, line 59-col. 9, line 8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the detecting a request comprise detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the online merchant via the computer communications network and to modify in Graves because such a modification would allow Graves to perform Internet shopping without having to provide sensitive account information to the merchant.

As per claims 7 and 31, Graves teaches, further comprising: expiring, by the issuing and transaction system, the selected one of the plurality of valid charge numbers employed to consummate the purchase transaction (col. 14, line 13-col. 15, line 8 and line 63 –col. 16, line 22).

As per claims 8 and 32, Graves failed to teach, expiring, by the issuing and transaction system, each of the plurality of provided valid charge numbers used to consummate the plurality of purchase transactions. Teicher teaches, expiring, by the issuing and transaction system, each of the plurality of provided valid charge numbers used to consummate the plurality of purchase transactions (col. 16, lines 22-47). It would have been obvious to one having ordinary skill in the art at the time the invention

was made to expire, by the issuing and transaction system, each of the plurality of provided valid charge numbers used to consummate the plurality of purchase transactions and to modify in Graves because such a modification would allow Graves to have a pre-paid account or pre-paid card having unique card identifiers provided in an unactivated format with a global computer providing the primary communication medium between parties which have a presence on the network (communications network). This dependent claim is also rejected for the similar rationale as above for claims 1 and 26.

As per claim 9, Graves teaches, The method of claim 1, further comprising: clearing, by a merchant, the purchase transaction via a charge settlement network (col. 1, lines 50-65, col. 3, lines 10-20, col. 7, line 30-col. 8, line 15, and fig. 4).

As per claim 10, Graves teaches, The method of claim 9, further comprising: settling, by a merchant processor associated with the merchant, the purchase transaction through the charge settlement network (col. 1, lines 50-65).

As per claim 11, Graves teaches, The method of claim 10, further comprising: deducting, by the merchant processor, a merchant discount for the merchant (col. 6, lines 20-45).

As per claim 12, Graves teaches, The method of claim 9, further comprising: routing, by a switch network of the charge settlement network, the selected one of the plurality of valid charge numbers to a predetermine processor for the plurality of valid charge numbers (col. 2, lines 50-61, col. 3, lines 15-60, col. 6, lines 25-45, fig. 1 and fig. 2).

11. Claims 13, 15-21, and 34-36, are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,575,361 B1) Graves et al, hereafter Graves in view of (US 6,065,675) Teicher and (US 6,609,113 B1) O'Leary et al, hereafter O'Leary in view of (US 6,456,984 B1) Demoff et al, hereafter Demoff.

As per claim 13, Graves, Teicher, and O'Leary failed to teach, further comprising: pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers; and the routing by the switch network comprising routing the selected one of the plurality of valid charge numbers to the issuing and transaction system. Demoff teaches, further comprising: pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers (col. 3, lines 34-52 and fig. 1); and the routing by the switch network comprising routing the selected one of the plurality of valid charge numbers to the issuing and transaction system (col. 3, lines 19-34 and fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to pre-certify, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers; and the routing by the switch network comprising routing the selected one of the plurality of valid charge numbers to the issuing and transaction system and to modify in Graves because such a modification would allow Graves to go to a issuing bank and to have a randomly generated unique temporary credit transaction number to be issued fro a single purchase transaction for a short period of time.

As per claims 15 and 34, Graves, Teicher, and O'Leary failed to teach, the authorizing comprises returning, by the issuing and transaction system, authorization information via the charge settlement network. Demoff teaches, wherein the authorizing comprises returning, by the issuing and transaction system, authorization information via the charge settlement network (col. 5, lines 32-61 and col. 6, lines 59-61). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the authorizing comprises returning, by the issuing and transaction system, authorization information via the charge settlement network and to modify in Graves because such a modification would allow Graves to have a means of settling an account after the customer information has been authorized.

As per claim 16, Graves, Teicher, and O'Leary failed to teach, clearing, by a merchant via a charge settlement network, the selected valid charge number employed to consummate the purchase transaction; routing, by the charge settlement network, purchase transaction information including the selected valid charge number to the issuing and transaction system; and processing, by the issuing and transaction system, the purchase transaction information. Demoff teaches, The method of claim 1, further comprising: clearing, by a merchant via a charge settlement network, the selected valid charge number employed to consummate the purchase transaction (col. 4, lines 37-53); routing, by the charge settlement network, purchase transaction information including the selected valid charge number to the issuing and transaction system (col. 5, lines 6-43); and processing, by the issuing and transaction system, the purchase transaction information (col. 4, lines 37-52). It would have been obvious to one having ordinary skill

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in the art at the time the invention was made to clearing, by a merchant via a charge settlement network, the selected valid charge number employed to consummate the purchase transaction; routing, by the charge settlement network, purchase transaction information including the selected valid charge number to the issuing and transaction system; and processing, by the issuing and transaction system, the purchase transaction information and to modify in Graves because such a modification would allow Graves to have the transaction information routed to the merchant and to have the debit card or credit card to pay for the purchase.

As per claim 17, Graves, Teicher, and O'Leary failed to teach, wherein the processing by the issuing and transaction system further comprises: verifying, by the issuing and transaction system, a charge number received via the charge settlement network with the selected valid charge number. Demoff teaches, wherein the processing by the issuing and transaction system further comprises: verifying, by the issuing and transaction system, a charge number received via the charge settlement network with the selected valid charge number (col. 3, line 53-col. 4, line 16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the processing by the issuing and transaction system further comprises: verifying, by the issuing and transaction system, a charge number received via the charge settlement network with the selected valid charge number and to modify in Graves because such a modification would allow Graves to have the charge number verified and validated for the customer for a transaction.

As per claims 18, 35, and 36, Graves, Teicher, and O'Leary failed to teach, generating, by the issuing and transaction system, a valid expiration date corresponding to the selected valid charge number; providing, by the issuing and transaction system via the electronic communications network, the corresponding valid expiration date with the selected valid charge number; and the processing by the issuing and transaction system further comprising verifying an expiration date received via the charge settlement network with the corresponding valid expiration date. Demoff teaches, further comprising: generating, by the issuing and transaction system, a valid expiration date corresponding to the selected valid charge number (col. 3, lines 34-51); providing, by the issuing and transaction system via the electronic communications network, the corresponding valid expiration date with the selected valid charge number (col. 4, lines 45-51); and the processing by the issuing and transaction system further comprising verifying an expiration date received via the charge settlement network with the corresponding valid expiration date (col. 3, lines 34-41). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the generating, by the issuing and transaction system, a valid expiration date corresponding to the selected valid charge number; providing, by the issuing and transaction system via the electronic communications network, the corresponding valid expiration date with the selected valid charge number; and the processing by the issuing and transaction system further comprising verifying an expiration date received via the charge settlement network with the corresponding valid expiration date and to modify in Graves

because such a modification would allow Grave to a mock or faux expiration date for the credit transaction number.

As per claim 19, Graves, Teicher, and O'Leary failed to teach, wherein the processing by the issuing and transaction system further comprises: comparing, by the issuing system, a purchase amount received via the charge settlement network with a corresponding cash balance. Demoff teaches, wherein the processing by the issuing and transaction system further comprises: comparing, by the issuing system, a purchase amount received via the charge settlement network with a corresponding cash balance (col. 3, lines 37-51). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the processing by the issuing and transaction system further comprise: comparing, by the issuing system, a purchase amount received via the charge settlement network with a corresponding cash balance and to modify in Graves because such a modification would allow Graves to have a system that issues a card for a specific amount and for a specific date and time for a transaction and once the transaction is settled the card is no longer valid.

As per claim 20, Graves, Teicher, and O'Leary failed to teach, further comprising: authorizing and settling, by the issuing and transaction system, the purchase transaction. Demoff teaches, further comprising: authorizing and settling, by the issuing and transaction system, the purchase transaction (col. 4, lines 5-16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have authorizing and settling by the issuing and transaction system the purchase transaction and to modify in Graves because such a modification would allow Graves to

have the capability to have the account paid (settled) for the purchase transaction without further action by the customer or the vendor (merchant).

As per claim 21, Graves, Teicher, and O'Leary failed to teach, further comprising: authorizing and settling, by the issuing and transaction system, a plurality of purchase transactions, each associated with a corresponding one of the plurality of valid charge numbers; and sending, by the issuing and transaction system, a plurality of settled purchase transactions to a sponsoring bank via an automated clearing house (ACH) batch transfer. Demoff teaches, further comprising: authorizing and settling, by the issuing and transaction system, a plurality of purchase transactions, each associated with a corresponding one of the plurality of valid charge numbers (col. 6, lines 57-63 and fig. 8); and sending, by the issuing and transaction system, a plurality of settled purchase transactions to a sponsoring bank via an automated clearing house (ACH) batch transfer (col. 6, lines 46-52 and fig. 8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the authorizing and settling, by the issuing and transaction system, a plurality of purchase transactions, each associated with a corresponding one of the plurality of valid charge numbers; and sending, by the issuing and transaction system, a plurality of settled purchase transactions to a sponsoring bank via an automated clearing house (ACH) batch transfer and to modify in Graves because such a modification would allow Graves to have a system that can send a transaction number or similar transaction information to a merchant for settlement of a purchase.

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12. Claims 22-25, 37-42, and 44-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,575,361 B1) Graves et al, hereafter Graves in view of (US 6,065,675) Teicher, (US 6,609,113 B1) O'Leary et al, hereafter O'Leary and (US 6,456,984 B1) Demoff et al, hereafter Demoff in view of (US 6,505,171 B1) Cohen et al, hereafter Cohen.

As per claim 22, Graves, Teicher, O'Leary, and Demoff failed to teach, settling, by the sponsoring bank, the plurality of purchase transactions. Cohen teaches, settling, by the sponsoring bank, the plurality of purchase transactions (col. 9, lines 6-41). It would have been obvious to one having ordinary skill in the art at the time the invention was made to settle by the sponsoring bank, the plurality of phase transactions and to modify in Graves because such a modification would allow Graves to have a financial repository for holding and transferring funds associated with a transaction.

As per claims 23 and 38, Graves, Teicher, and O'Leary, failed to teach, the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and establishing, by the issuing system, an electronic mail account that enables communication between the online merchant and the user via the computer communications network. Demoff teaches, The method of claim 1, further comprising: the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network (col. 2, lines 37-40 and fig. 8); and establishing, by the issuing system, an electronic mail account that enables communication between the

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online merchant and the user via the computer communications network (col. 4, line 55- col. 5, line 5 and figs. 3-6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and establishing, by the issuing system, an electronic mail account that enables communication between the online merchant and the user via the computer communications network and to modify in Graves because such a modification would allow Graves to have the capability to send a message if the purchase transaction is approved or not approved by the merchant.

As per claims 24, 39, and 40, Graves, Teicher, and O'Leary, failed to teach, generating, by the issuing and transaction system, an email address linked to a prepaid cash account associated with the user; and providing; by the issuing system; the email address to the online merchant during the purchase transaction. Demoff teaches, The method of claim 23, further comprising: generating, by the issuing and transaction system, an email address linked to a prepaid cash account associated with the user; and providing; by the issuing system; the email address to the online merchant during the purchase transaction (col.4, lines 30-65, col. 7, lines 16-23, and fig. 6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate by the issuing and transaction system, an email address linked to a prepaid cash account associated with the user; and providing; by the issuing system; the email address to the online merchant during the purchase transaction and to modify in Graves

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because such a modification would allow Graves to be able to send a message to the user as to whether the purchase has been approved or denied.

As per claims 25 and 41, Graves, Teicher, O'Leary, and Demoff failed to teach, The method of claim 1, further comprising: generating, by the issuing and transaction system, a valid expiration date for the selected valid charge number; and providing, by the issuing and transaction system via the electronic communications network, the valid expiration date with the selected valid charge number. Cohen teaches, The method of claim 1, further comprising: generating, by the issuing and transaction system, a valid expiration date for the selected valid charge number; and providing, by the issuing and transaction system via the electronic communications network, the valid expiration date with the selected valid charge number (col. 3, lines 31-50, col. 9, lines 41-col. 10, line 13 and fig. 6 –shows a timestamp (70) and fig. 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate by the by the issuing and transaction system, a valid expiration date for the selected valid charge number; and providing, by the issuing and transaction system via the electronic communications network, the valid expiration date with the selected valid charge number and to modify in Graves because such a modification would allow Graves to have a particular time that the currency contained in the distribution sites is collected and sent to an account.

As per claim 37, Graves, and Teicher, failed to teach, wherein the charge settlement network comprises an electronic funds transfer (EFT) network. O'Leary teaches, The charge number issuing system of claim 31, wherein the charge settlement

network comprises an electronic funds transfer (EFT) network (col. 12, lines 48-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the charge settlement network comprise an electronics funds transfer (EFT) network and to modify in Graves because such a modification would allow Graves to have a secure means to transfer funds and to provide real time credit.

As per claim 42, Graves, Teicher, and O'Leary failed to teach, A charge number issuing and processing system for issuing valid charge numbers via a electronic communications network and for processing the valid charge numbers via a charge settlement network, comprising: an issuing and transaction system, comprising: a storage device that stores a plurality of valid charge numbers issued by an issuing bank; a communication system for coupling to and enabling communications with the electronic communications network; and a transaction system, coupled to the storage device and the communication system, that detects requests for charge numbers via the electronic communications network and that provides a selected one of the plurality of valid charge numbers via the electronic communications network in response to the request. Demoff teaches, A charge number issuing and processing system for issuing valid charge numbers via a electronic communications network and for processing the valid charge numbers via a charge settlement network, comprising: an issuing and transaction system, comprising: a storage device that stores a plurality of valid charge numbers issued by an issuing bank (col. 4, lines 17-22); a communication system for coupling to and enabling communications with the electronic communications network (col. 3, lines 19-33 and fig. 1); and a transaction system, coupled to the storage device

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and the communication system, that detects requests for charge numbers via the electronic communications network and that provides a selected one of the plurality of valid charge numbers via the electronic communications network in response to the request (col. 3, lines 31-48). Graves, Teicher, O'Leary, and Demoff failed to teach, a processor system, coupled to the transaction system, for coupling to and enabling communications with the charge settlement network and a switch network, for coupling to the charge settlement network, that routes any of the plurality of valid charge numbers entered into the charge settlement network to the issuing and transaction system for processing. Cohen teaches, a processor system, coupled to the transaction system, for coupling to and enabling communications with the charge settlement network and a switch network, for coupling to the charge settlement network, that routes any of the plurality of valid charge numbers entered into the charge settlement network to the issuing and transaction system for processing (col. 2, line 66-col. 3, line 30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a processor system, coupled to the transaction system, for coupling to and enabling communications with the charge settlement network and a switch network, for coupling to the charge settlement network, that routes any of the plurality of valid charge numbers entered into the charge settlement network to the issuing and transaction system for processing and to modify in Graves because such a modification would allow Graves to have the ability to communicate with a charge settlement network and to route valid charge numbers to the charge settlement network.

As per claim 43, Graves teaches, the storage device storing an accounts database including at least one prepaid cash account (col. 10, lines 60-67); and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network with selected one of the plurality of valid charge numbers if a cash balance in a prepaid cash account is sufficient to cover a purchase amount of the purchase transaction (col. 12, lines 18-63).

As per claim 44, Graves, Teicher, and O'Leary failed to teach, The charge number issuing an processing system of claim 42, further comprising: the storage device storing an expired charge number database that stores valid charge numbers that have been utilized to consummate a single purchase transaction. Demoff teaches, the storage device. storing an expired charge number database that stores valid charge numbers that have been utilized to consummate a single purchase transaction (col. 3, line 19 –col. 4, line 16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the storage device storing an expired charge number database that stores valid charge numbers that have been utilized to consummate a single purchase transaction and to modify in Graves because such a modification would allow Graves to have a transaction number that is authorized for a specific date and time and then the transaction number becomes invalid.

As per claim 45, Graves, Teicher, O'Leary, and Demoff failed to teach, The charge number issuing an processing system of claim 42, further comprising: an electronic mail system, coupled to the transaction system and the storage device, that enables email communication with online merchants that conduct online purchase

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transactions via the electronic communications network. Cohen teaches, an electronic mail system, coupled to the transaction system and the storage device, that enables email communication with online merchants that conduct online purchase transactions via the electronic communications network (col. 9, lines 65-67, col. 10, lines 1-8, and fig. 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Graves to include an email feature because it is the easiest way to communicate and the most economical way when conducting transactions electronically.

As per claim 46, Graves, Teicher, O'Leary, and Demoff failed to teach, The charge number issuing an processing system of claim 45, wherein the electronic mail system comprises: an email processor, coupled to the transaction system that generates an email addresses; and an email database, stored by the storage device, that stores the generated email addresses. Cohen teaches, wherein the electronic mail system comprises: an email processor, coupled to the transaction system that generates an email addresses; and an email database, stored by the storage device, that stores the generated email addresses (col. 9, lines 65-67, col. 10, lines 1-8, and fig. 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the electronic mail system comprise: an email processor, coupled to the transaction system that generates an email addresses; and an email database, stored by the storage device, that stores the generated email addresses and to modify in Graves because such a modification would allow Graves to have an e-mail

feature because electronic mail is a more economical and easier way of communication when conducting transactions electronically.

As per claim 47, Graves, Teicher, and O'Leary failed to teach, the transaction system generating a valid expiration date to correspond to the selected valid charge number and providing the corresponding valid expiration date with the selected valid charge number via the electronic communications network; and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network if a charge number received by the processing system is the same as the selected valid charge number and if an expiration date received by the processing system is the same as the corresponding valid expiration date. Demoff teaches, further comprising: the transaction system generating a valid expiration date to correspond to the selected valid charge number and providing the corresponding valid expiration date with the selected valid charge number via the electronic communications network; and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network if a charge number received by the processing system is the same as the selected valid charge number and if an expiration date received by the processing system is the same as the corresponding valid expiration date (col. 3, lines 36-40, col. 4, lines 45-51, and fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the transaction system generating a valid expiration date to correspond to the selected valid charge number and providing the corresponding valid expiration date with the selected valid charge number via the electronic communications

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network; and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network if a charge number received by the processing system is the same as the selected valid charge number and if an expiration date received by the processing system is the same as the corresponding valid expiration date and to modify in Graves because such a modification would allow Graves to have a transaction number that is authorized for a specific date and time and then the transaction number becomes invalid.

As per claim 48, Graves, Teicher, and O'Leary failed to teach, wherein the communication system further comprises: a computer network communications system for interfacing a computer communications network; and a telephonic communications system for interfacing a telephonic network. Demoff teaches, The charge number issuing and processing system of claim 42, wherein the communication system further comprises: a computer network communications system for interfacing a computer communications network; and a telephonic communications system for interfacing a telephonic network (col. 3, line 19 –col. 4, line 32). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a computer network communications system for interfacing a computer communications network; and a telephonic communications system for interfacing a telephonic network and to modify in Graves because such a modification would allow Grave to have an interface to both network systems for communication purposes.

Response to Arguments

13. Applicant's arguments filed 02/06/06 have been fully considered but they are not persuasive.

Issue no. 1: Applicants' argue: The language being rejected based on antecedent basis existed as of an amendment submitted by Applicants' on 10/4/04 and this rejection was not made in the intervening Office Action mailed 12/29/04 and is only now made resulting in piecemeal examination against the strictures of MPEP 707.07(g) has been considered but is not persuasive. Response: The Examiner, during prosecution of an application can give a rejection that is warranted (1) if the rejection has been overlooked in prior Office Actions or (2) the claims have been amended to justify the rejection. This is not considered a piecemeal examination. It is only in an effort move the application toward allowance.

Issue no. 2: Applicants' argue: First the reference to the amendment mailed October 5, 2004 appears to be in error since that was an amendment in response to a restriction requirement and second, Applicants' arguments in the August 5, 2005 response must have been sufficiently persuasive since entirely new rejections have been asserted and Applicant respectfully request that all of the previous rejections be withdrawn has been considered and the previous rejections are hereby withdrawn. The reference to the amendment mailed October 5, 2004 was in error. This application was inherited from an Examiner who left the office. There was a restriction requirement 09/01/04 by the present Examiner then a new action 12/27/04 in response to the restriction requirement, then a miscellaneous communication of 5/05/05, and then

11/04/05 another Non-Final Rejection. During the above actions there was an error in what should have been mailed to the applicants.

Issue no. 3: Applicants' argue: it would not be obvious to combine Teicher and Graves in the manner suggested by the Examiner to establish a prepaid cash account, to detect a purchase transaction, and to authorize the purchase transaction as recited in claim 1 has been considered but is not persuasive. Response: It is interpreted that Teicher discloses a prepaid cash account in col. 8, lines 20-29 ("... electronic cash, when stored in an electronic purse of a payment card or in an electronic cash drawer of a POS, is associated with the specific brand of charge function by which the electronic cash was acquired. This temporary association is maintained for the electronic cash throughout all transactions and all stored-value devices (prepaid cash account) ..."). Teicher further discloses detecting a purchase transaction in col. 11, lines 44-57 ("... a transaction manager determines the appropriate means of handling the current transaction. If the purchase amount exceeds a predetermined minimum charge transaction amount (for example, \$25), transaction manager initiates a charge transaction from charge function for account ID of the payment card (detecting a purchase transaction) ..."). It is interpreted Teicher discloses authorizing the purchase transaction in col. 16, lines 20-23 ("..., merchant claims actually equal customer charges, balancing the system integrity as a whole" (authorizing a purchase transaction)).

Issue no. 4: Applicants' argue: Teicher does not teach establishing a prepaid cash account for the user by the issuing and transaction system as recited in claim 1

has been considered but is not persuasive. Response: It is interpreted Teicher discloses establishing a prepaid cash account for the user in col. 2, lines 19-26.

Issue no. 5: Applicants' argue: Teicher does not show or describe detecting a purchase transaction by an issuing and transaction system via a charge settlement network using the valid charge number and authorizing the purchase transaction if a cash balance of the prepaid cash account is sufficient for a purchase amount of the purchase transaction has been considered but is not persuasive. Response: Teicher does disclose a transaction processing and settlement (network) system in col. 11, lines 15-22 and figure 10 (106).

Issue no. 6: Applicants' argue: Graves in view of Teicher does not show or describe detecting a request by a user via the electronic communications network for a valid charge number which comprises detecting an online purchase between an online merchant and the user via a computer communications network has been considered but is not persuasive. Response: Graves was not used to reject these claim limitations. Therefore, this argument is considered moot.

Issue no. 7: Applicants' argue: Graves in view of Teicher does not show or describe detecting a request by a user via the electronic communication network for a valid charge number which comprises detecting an online purchase transaction between an online merchant and the user via a computer communications network has been considered but is not persuasive. Response: Graves and Teicher were not used to reject this claim limitation. O'Leary was used to reject this claim limitation. Therefore, this argument is considered moot.

Issue no. 8: Applicants' argue: Graves nor Teicher nor any combination thereof shows an issuing and transaction system which is configured to authorize a purchase transaction submitted for authorization with the selected valid charge number via the charge settlement network if a cash balance in a prepaid cash account associated with the user is sufficient to cover a purchase amount of the purchase transaction has been considered but is not persuasive. Response: These claim limitations have been addressed in issue nos. 2-7 above and there is no further need to readdress them.

Issue no. 9: Applicants' argue: Teicher does not show or describe an issuing and transaction system which provides a selected valid charge number to an online merchant via the computer communication network to consummate an online purchase transaction with an online merchant for a user has been considered but is not persuasive. Response: The O'Leary reference was used to reject this claim limitation and not the Teicher reference.

Issue no. 10: Applicants' argue: O'Leary does not show providing the selected valid charge number by the issuing and transaction system to the online merchant via the computer communications network has been considered but is not persuasive. Response: O'Leary discloses in col. 11, line 41 a unique transaction number (a valid charge number).

Issue no. 11: Applicants' argue: Applicants' respectfully submit that the Examiner is combining features of each reference in piecemeal fashion based on Applicants' claims without any suggestion within the references for the proposed combinations, which is improper hindsight has been considered but is not persuasive. Response: In

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response to applicants' argument that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Further, in response to applicants' argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Issue no. 12: Applicants' argue: Applicants' further submit that the only suggestion for additionally combining Demoff with Graves, Teicher and O'Leary in this manner is Applicants' claims, which is improper hindsight has been considered but is not persuasive. Response: In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Issue no. 13: Applicants' argue: Demoff does not show or suggest a pre-paid account or pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers, and routing the selected one of the plurality of valid charge numbers to the issuing and transaction system have been considered but are not persuasive. Response: It is interpreted that Demoff discloses a pre-paid account or pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers, and routing the selected one of the plurality of valid charge numbers to the issuing and transaction system in col. 3, lines 34-52. It is interpreted that a pre-paid account can be an account with temporary transaction numbers which are considered to be valid and the pre-certifying by an issuing bank.

Issue no. 14: Applicants' argue: Cohen rails to overcome the deficiencies of Graves in view of Teicher with respect to independent claims 1 and 26 and Applicants' further submit that the only suggestion for additionally combining Cohen with Graves, Teicher, O'Leary, and Demoff in this manner is Applicants' claims, which is improper hindsight has been considered but is not persuasive. Response: In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the

time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Issue no. 15: Applicants' argue: Claim 42 is allowable over Graves in view of Teicher, O'Leary, Demoff and Cohen since none of the references alone or in combination show an issuing and transaction system including a storage device that stores a plurality of valid charge numbers issued by an issuing bank and that stores an accounts database including at least one prepaid cash account and a transaction system that detects requests for charge numbers via the electronic communications network, that provides a selected one of the plurality of valid charge numbers via the electronic communications network in response to the request, and that is configured to authorize a purchase transaction submitted for authorization via the charge settlement network with a selected one of the plurality of valid charge numbers if a cash balance in a prepaid cash account is sufficient to cover a purchase amount of the purchase transaction has been considered but is not persuasive. Response: It is interpreted that Demoff and Cohen discloses the limitations of claim 42. Graves, Teicher and O'Leary were not used to reject the claim limitations of claim 42.

Conclusion: The Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the Specification (see below):

2111 Claim Interpretation; Broadest Reasonable Interpretation [R-1]

>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the

opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).<

The Applicants' are respectfully requested to point out in the independent claims 1, 26, and 42 to the Examiner the inventive concept and to claim the inventive concept in the claim language.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries


15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Tuesday-Thursday, 6:30AM-4:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 4, 2006



ELLA COLBERT
PRIMARY EXAMINER